

REMARKS

Claims 18-22, 24, 25, and 27-40 are now pending in the application. Claims 1-17, 23 and 26 are cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

CLAIM OBJECTION

Claim 22 is objected to for informalities. Claim 22 has been amended thereby rendering this rejection moot.

REJECTION UNDER 35 U.S.C. § 103

Claims 18, 22-24, 28, 36, 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968).

With regard to claim 18, the Examiner contends that MacKay teaches a method for the preparation of casting skins having a leather-like surface comprising the steps of: applying a pulp comprising leather fibers, suspending agents, binders and optionally additives, to the porous surface of a vacuum tool; applying a vacuum in the vacuum tool to deposit said pulp to a desired layer thickness along said porous surface to form a casting skin; and transferring the casting skin to a press tool and applying pressure to remove moisture and densify the casting skin. The Examiner correctly asserts that MacKay does not explicitly teach a vacuum tool having the geometry of a three-dimensional molded part. However, the Examiner asserts, the vacuum tool "screen" disclosed by MacKay is capable of being arranged into a three-dimensional geometry,

and a mere change in shape would have been within the level of ordinary skill in the art. This rejection is respectfully traversed.

MacKay teaches that “[...] whereupon the water is rapidly abstracted from the slurry spread in a thin layer on suction boxes similar to those of continuous machines for the manufacture of paper” (page 1, lines 24-28). MacKay goes on to note that “The slurry is then treated to abstract the liquids therefrom as for example by flowing the slurry over a screen while subjecting the screen to agitation and by the application of either a vacuum or a pressure to the slurry.” (page 1, lines 78-83).

Applicants submit that this is contrary to the approach defined by Applicants claim 18 as amended. Applicants submit that if the screen of MacKay had a three-dimensional geometry, one would certainly not expect an even distribution of the solid contents of the pulp applied thereto when the slurry is “flowed” over a three dimensional screen as required by MacKay. Accordingly, a skilled artisan after studying the disclosure of MacKay would not modify MacKay’s method so as to use a three-dimensional screen as suggested by the Examiner.

It is also important to note that MacKay fails to teach or disclose the specific leather fiber content of the pulp as now claimed under amended claim 18. Applicants submit that these leather fibers work well under the specific method taught by amended claim 18. Reconsideration of the rejection of claim 18, as well as claims 22, 28 and 36-37, as outlined in paragraph 4 of the pending official action is respectfully requested.

As for the rejection of claim 19 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Dimiter (U.S. Pat. No. 4,287,252) as set forth in paragraph 5 of the pending official action, Applicants submit that the amendments to

claim 18 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As for the rejection of claims 20, 21, 25 and 33 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Barash (U.S. Pat. No. 3,542,910) as set forth in paragraph 6 of the pending official action, Applicants submit that the amendments to claim 18 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As for the rejection of claims 23 and 24 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) as set forth in paragraph 7 of the pending official action, Applicants submit that the amendments to claim 18 and the cancellation of claim 23 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As for the rejection of claims 26, 27, 31 and 32 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Barash (U.S. Pat. No. 3,542,910), as set forth in paragraph 8 of the pending official action, Applicants submit that the amendments to claim 18 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As for the rejection of claims 29 and 30 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Dimiter (U.S. Pat. No. 4,287,252), as set forth in paragraph 9 of the pending official action, Applicants submit that the amendments to claim 18 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As to the rejection of claim 34 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Sato et al (U.S. Pat. No. 4,919,189) set forth in paragraph 9 of the pending official action, Applicants submit that the amendments to claim 18 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As to the rejection of claim 35 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Purser (U.S. Pat. No.5,232,643) set forth in paragraph 10 of the pending official action, Applicants submit that the amendments to claim 18 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As to the rejection of claims 38-40 under 35 U.S.C. § 103(a) as being unpatentable over MacKay (GB 360968) in view of Barash (U.S. Pat. No. 3,542,910) set forth in paragraphs 11 and 12 of the pending official action, Applicants submit that the amendments to claim 18 have rendered this rejection moot. The above noted remarks as to MacKay apply here as well. Reconsideration is therefore requested.

As to paragraph 13 of the pending official action, the Examiner suggests that even though product-by-process claims are limited by the process, determination of patentability is based on the product itself. Applicants respectfully submit that the products of the present invention are three-dimensional molded parts whereas Barash and the other cited documents appear to be limited to leather-like sheet materials. Thus, the products are different and one of ordinary skill in the art would not arrive at the products of claims 38-40 because a proper combination of MacKay and Barash is not possible.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: /Robert M. Siminski/
Robert M. Siminski
Reg. No. 36,007

HARNES, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

RMS/jao